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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |   | Application Number   | 10/756,812       |
|   |   | Filing Date          | January 12, 2004 |
|   |   | First Named Inventor | Gerpheide et al. |
|   |   | Group Art Unit       | 2673             |
|   |   | Examiner Name        |                  |
| Total Number of Pages in This Submission (including this sheet)                     | 4 | Attorney Docket No.  | 0668.CIRQ.DV1    |

| ENCLOSURES (check all that apply)   |   |  |          |
|---|---|--|----------|
| <input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Appeal Communication:<br><input type="checkbox"/> Appeal Notice<br><input type="checkbox"/> Appeal Brief<br><input type="checkbox"/> Reply Brief<br><input type="checkbox"/> Assignment with Cover Sheet<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Check in the amount of \$__<br><input type="checkbox"/> Credit card authorization in the amount of \$__<br><input type="checkbox"/> Declaration & Power of Attorney<br><input type="checkbox"/> Drawings __ sheets<br><input type="checkbox"/> Formal <input type="checkbox"/> Informal | <input type="checkbox"/> Extension of Time Request ____ month<br><input type="checkbox"/> Fee Calculation Table<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input checked="" type="checkbox"/> Form 1449<br><input type="checkbox"/> Copies of IDS References<br><input type="checkbox"/> Issue Fee Transmittal & Advance Order | <input type="checkbox"/> Maintenance Fee Transmittal ____ year<br><input type="checkbox"/> Missing Parts Response<br><input type="checkbox"/> Notification of Change of Attorney Address & Docket Number<br><input checked="" type="checkbox"/> Return Postcard<br><input type="checkbox"/> Revocation & Power of Attorney<br><input type="checkbox"/> Status Inquiry<br><input type="checkbox"/> Other: | Remarks  |
| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT   |   |  |          |
| Attorney for Applicant  | David W. O'Bryant, Registration No. 39,793<br>MORRISS O'BRYANT COMPAGNI, P.C.<br>136 South Main Street, Suite 700<br>Salt Lake City, Utah 84101<br>(801) 478-0071 telephone; (801) 478-0076 facsimile   |  |          |
| Signature   |   | Date   | 10/21/04 |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  |   |  |          |
| Typed or Printed Name   | David W. O'Bryant   |  |          |
| Signature   |   | Date   | 10/21/04 |



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gerpheide et al.  
SERIAL NO.: 10/756,812  
FILING DATE: January 12, 2004  
TITLE: TOUCHPAD HAVING INCREASED  
NOISE REJECTION, DECREASED  
MOISTURE SENSITIVITY, AND  
IMPROVED TRACKING  
ART UNIT: 2673  
EXAMINER:  
DOCKET NO.: 0668.CIRQ.DV1

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*David W. O'Bryant*  
David W. O'Bryant

*10/21/04*  
Date of Deposit

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed, pursuant to 37 C.F.R. § 1.97 (b), within three months of the filing date of the application, within three months of the date of entry of the national stage set forth in § 1.491 or before the mailing date of a first Office action on the merits. Applicant requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application. While no representation is made that any of the references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or

patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with the waiver of 37 C.F.R. § 1.98(a)(2)(i) published in the Official Gazette on August 5, 2003 for U.S. patent applications filed after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication are not enclosed. Applicant has submitted copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. § 1.98 (a)(2). Any listed reference that is not in the English language is accompanied by a concise explanation in English of its relevance as required under 37 C.F.R. § 1.98(a)(3)(i).

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0881.

DATED this 21 day of October, 2004.

Respectfully submitted,



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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application Number 10/756,812  
 Filing Date January 12, 2004  
 First Named Inventor Gerpheide et al.  
 Group Art Unit 2673  
 Examiner Name  
 Attorney Docket 0668.CIRQ.DV1

Use as many sheets as necessary)

Sheet

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of

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## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|---|---|
|                    |                       | Number-Kind Code <sup>2</sup> (if known) |                                |   |   |
|                    |                       | US-4,550,221                             | October 29, 1985               | Mabusth   |   |
|                    |                       | US-5,374,787                             | Dec. 20, 1994                  | Miller et al.                                   |   |
|                    |                       | US-5,495,077                             | Feb. 27, 1996                  | Miller et al.                                   |   |
|                    |                       | US-5,543,590                             | Aug. 6, 1996                   | Gillespie et al.                                |   |
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|                    |                       | US-5,880,411                             | March 9, 1999                  | Gillespie et al.                                |   |
|                    |                       | US-5,914,465                             | June 22, 1999                  | Allen et al.                                    |   |
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|                    |                       | US-6,380,931 B1                          | April 30 2002                  | Gillespie et al.                                |   |
|                    |                       | US-6,414,671 B1                          | July 2, 2002                   | Gillespie et al.                                |   |
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|                    |                       | US-                                      |                                |   |   |
|                    |                       | US-                                      |                                |   |   |
|                    |                       | US-                                      |                                |   |   |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|---|--------------------------------|---|---|----------------|
|                    |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |   |   |                |
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|                    |                       |   |                                |   |   |                |
|                    |                       |   |                                |   |   |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.